

2009

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Planning)

## Surveyors Amendment Bill 2009

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## Surveyors Amendment Bill 2009

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### A Bill for

An Act to amend the *Surveyors Act 2007*, and for other purposes

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Surveyors Amendment Act 2009*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

5 *Note* The naming and commencement provisions automatically commence on  
6 the notification day (see Legislation Act, s 75 (1)).

7 **3 Legislation amended**

8 This Act amends the *Surveyors Act 2007*.

9 *Note* This Act also amends other legislation (see sch 1).

10 **4 Registration condition**  
11 **Section 9 (1)**

12 *omit*

13 guidelines

14 *substitute*

15 directions

16 **5 Section 9 (2)**

17 *omit*

18 make guidelines

19 *substitute*

20 give directions

1 **6 Section 9 (3) and (4)**

2 *omit*

3 guideline

4 *substitute*

5 direction

6 **7 Continuation notice reminders**  
7 **Section 18 (2) (b) (i) and (ii)**

8 *substitute*

9 (i) that the surveyor must give the chief surveyor a  
10 continuation notice before 1 September in the financial  
11 year if the surveyor intends to continue to be registered in  
12 the financial year;

13 (ii) that the surveyor's registration will be automatically  
14 suspended on 1 November in the financial year if the  
15 surveyor does not give the chief surveyor a continuation  
16 notice for the financial year before 1 November in the  
17 financial year;

18 **8 Section 18 (2) (c)**

19 *substitute*

20 (c) set out any fee determined for giving a continuation notice,  
21 including any higher fee for late payment.

1 **9 Annual continuation notice for registration**  
2 **Section 19**

3 *omit*

4 Before the beginning of a financial year,

5 *substitute*

6 Before 1 September in a financial year,

7 **10 Section 20**

8 *substitute*

9 **20 No continuation notice before 1 November**

10 (1) This section applies if a surveyor has not given the chief surveyor a  
11 continuation notice for a financial year before 1 November in the  
12 financial year.

13 (2) The surveyor's registration is automatically suspended on  
14 1 November in the financial year.

15 **11 Lifting s 20 suspension**  
16 **Section 21 (3), except notes**

17 *substitute*

18 (3) The suspension ends when the surveyor gives the chief surveyor the  
19 notice and the registration is taken to have continued in force as if it  
20 had not been suspended under section 20.

1 **12** **Grounds for occupational discipline**  
2 **Section 26 (1) (b) and (c)**

3 *omit*

4 a survey

5 *substitute*

6 a survey or a measurement survey

7 **13** **New section 26 (3)**

8 *insert*

9 (3) In this section:

10 *measurement survey* means an activity that includes any of the  
11 following:

12 (a) taking measurements of distance, height, depth, level or  
13 direction in relation to land, including the air space above land  
14 and the subsurface below land and land covered by water;

15 (b) inserting survey marks in or on land;

16 (c) recording any measurements taken under paragraph (a) and the  
17 location of any survey marks inserted under subparagraph (b);

18 (d) collating any measurements and locations recorded under  
19 subparagraph (c);

20 (e) preparing plans or other documents to illustrate the results of  
21 any measurements taken, or the location of any survey marks  
22 inserted, under this paragraph.

23 **14** **Dictionary, definition of *chief surveyor***

24 *omit*

- 1    **15    Dictionary, new definition of *surveyor-general***
- 2            *insert*
- 3            *surveyor-general* means the surveyor-general appointed under
- 4            section 59.
- 5    **16    Further amendments, mentions of *chief surveyor***
- 6            *omit*
- 7            chief surveyor
- 8            *substitute*
- 9            surveyor-general
- 10          *in*
- 11          • sections 6 to 11
- 12          • sections 14 and 15
- 13          • sections 18 to 24
- 14          • sections 26 to 28
- 15          • sections 41 to 43
- 16          • sections 53 to 56
- 17          • part 5 heading
- 18          • sections 59 to 61
- 19          • sections 63 to 65
- 20          • sections 67 to 69
- 21          • section 74
- 22          • section 78
- 23          • section 81



1 **Schedule 1**            **Consequential amendments**

2 (see s 3)

3 **Part 1.1**                **Districts Act 2002**

4 **[1.1] Section 7 (3) and (4)**

5            *omit*

6            chief surveyor

7            *substitute*

8            surveyor-general

9 **[1.2] Section 18 (1)**

10           *omit*

11           chief surveyor

12           *substitute*

13           surveyor-general

14 **[1.3] Dictionary, note 2**

15           *omit*

- 16           • chief surveyor

17 **[1.4] Dictionary, note 2**

18           *insert*

- 19           • surveyor-general

1 **Part 1.2 Electoral Act 1992**

2 **[1.5] Section 39 (3) (c) and (5)**

3 *omit*  
4 chief surveyor  
5 *substitute*  
6 surveyor-general

7 **[1.6] Section 39 (5)**

8 *omit*  
9 chief surveyor's  
10 *substitute*  
11 surveyor-general's

12 **[1.7] Section 47 (3)**

13 *omit*  
14 chief surveyor  
15 *substitute*  
16 surveyor-general

17 **[1.8] Section 47 (3)**

18 *omit*  
19 chief surveyor's  
20 *substitute*  
21 surveyor-general's

1 **Part 1.3** **Land Titles Act 1925**

2 **[1.9] Section 64 (7)**

3 *omit*

4 chief surveyor

5 *substitute*

6 surveyor-general

7 **Part 1.4** **Legislation Act 2001**

8 **[1.10] Dictionary, part 1, definition of *chief surveyor***

9 *omit*

10 **[1.11] Dictionary, part 1, new definition of *surveyor-general***

11 *insert*

12 *surveyor-general* means the surveyor-general under the *Surveyors*  
13 *Act 2007*.

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2009.

**2 Notification**

Notified under the Legislation Act on 2009.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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